

Appln No. 10/069,915

Amdt date October 6, 2004

Reply to Office action of August 6, 2004

REMARKS/ARGUMENTS

Claims 1-35 are pending in this application, of which claims 1 and 30 are independent. Claim 30 has have been amended. Claims 36-39 have been canceled. The amendment adds no new matter and finds full support in the application as originally filed. Also, Applicant respectfully submits that the amendment to claim 30 raises no new issue which would require a further search by the Examiner since claim 30, as amended, includes all of the limitations of claim 1 as originally filed. In view of the above amendment and following remarks, Applicant respectfully requests reconsideration and a timely indication of allowance.

Rejections Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 30-35 under 35 U.S.C. § 102(b) as allegedly being anticipated by Kowalski (U.S. Pat. No. 5,867,942). Applicant respectfully traverses this rejection.

Claim 30, as amended, includes all of the limitations of claim 1. The Examiner has indicated that claim 1 is allowable. Consequently, Applicant respectfully submits that claim 30 is allowable for each of the reasons that claim 1 is allowable.

For example, claim 30 recites a door module having "at least one fixing node provided on the frame structure and through which the frame structure can be connected to a door body." Kowalski discloses a door cassette 24 that is mounted to a lower door 26. However, Kowalski does not disclose, teach or suggest "at least one fixing node provided on the frame

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structure and through which the frame structure can be connected to a door body" as specified by claim 30.

Claim 30 also recites **"means for adjusting the position of the window frame relative to the fixing node and the assembly carrier** about a longitudinal axis of the vehicle door." (Emphasis added.) Kowalski discloses a door cassette 24 that includes an upper door frame 34 (what the Examiner refers to as a "frame portion") and a lower door frame 38 (although the Examiner refers to reference number 46 as "an assembly carrier", reference number 46 refers to a cross member of lower door frame 38, therefore it is assumed that the Examiner intended to analogize reference number 38 to the claimed "assembly carrier".)

As the Examiner correctly states, the frame 34 and the assembly carrier 38 of Kowalski are each adjustably mounted to the lower door 26. That is, the frame 34 and the assembly carrier 38 of Kowalski are pivotable through pivot bolts 28 about axis 55. (FIG. 3; and col. 4, lines 44-49.) However, the frame 34 and the assembly carrier 38 of Kowalski pivot **together** about axis 55. They do not pivot relative to each other. As such, Kowalski does not disclose, teach or suggest "means for adjusting the position of the window frame relative to the fixing node and the assembly carrier" as is specified by claim 30. Consequently, for either of the reasons given above Kowalski does not anticipate claim 30.

Claims 31-35 depend from claim 30. Claim 30 is now believed to be in condition for allowance over Kowalski. As such, Applicant submits that claims 31-35 are also allowable

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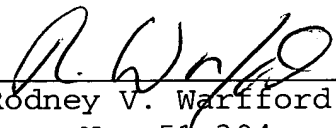
over Kowalski as being dependent from an allowable base claim and for the additional limitations they contain therein. Accordingly, Applicant respectfully requests that the rejection of claims 30-35 over Kowalski under 35 U.S.C. § 102(b) be withdrawn.

Allowable Claims

The Examiner has indicated that claims 1-29 are allowable. None of claims 1-29 are amended by the current Amendment After Final Action. As such, Applicant respectfully submits that claims 1-29 remain in condition for allowance.

In view of the above amendment and remarks, Applicant respectfully submits that claims 1-35 are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated.

Respectfully submitted,
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